

COMPLAINT

ADDENDUM 2

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OFFICE OF GENERAL
COUNSEL

April 12, 2010

Office of the General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

RE: MUR 6253

Dear Sir or Madam:

This Second Addendum is being made to the original Complaint filed dated February 9, 2010, regarding the congressional candidate, Harold W. Gowdy, III (aka Trey Gowdy) and his congressional campaign committee (Committee ID C00462523).

A recent published newspaper article in the *Spartanburg Herald Journal* by Robert W. Dalton, dated March 30, 2010, contains three interesting quotes by Trey Gowdy which are underlined in the attached copy of this article. They speak for themselves.

Please note that at least one principal of Under the Power Lines works as a political consultant in what appears to be the "campaign manager" role for the Gowdy congressional campaign committee. Thus any comments attributable to him would be most suspect in this matter.

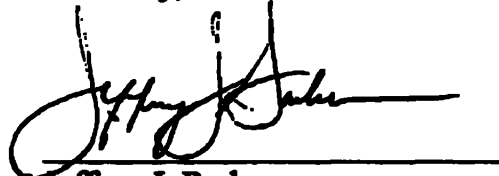
Also it seems unlikely that a "dozen" people worked on the phantom solicitor website given the head count at both Under the Power Lines and the Gowdy congressional campaign.

For the record, now that the Complaint filed with the SC State Ethics Commission has been resolved, two things need to be mentioned:

1. First, the State Complaint argument had nothing in common with the Federal Complaint filed. Now that the Complaint can be discussed, it simply suggested that Gowdy's Solicitor Campaign monies ~~were~~ used to reimburse Spartanburg County for expenses of that campaign or a federal campaign, a violation of the State's ethics laws.
2. Second, in a phone conversation with Mr. Herbert R. Hayden, Jr., Executive Director of the SC State Ethics Commission, in an effort to explain why such reimbursements were allowable, mentioned that he had phone call(s) and a personal visit from Trey Gowdy very early in 2009 where Mr. Gowdy stated that he had no intention of seeking reelection as Solicitor of the 7th Circuit. The dates of these two events (the phone call and personal visit) need to be determined by actual phone records and calendars plus Mr. Hayden's under oath testimony by affidavit, as they will help to clarify the timeline of the decision to run for the U.S. Congress and his solicitor's campaign expenditure for a website.

Under penalty of perjury, I believe the information stated in this Complaint Second Addendum to be true and submit this Complaint Second Addendum to be included with the original Complaint (MUR 6253) filed on February 9, 2010.

Sincerely,



Jeffrey J. Parker

Greenville, SC 29615

Enc: *Spartanburg Herald Journal* article published March 30, 2010.

Ethics panel: Gowdy's spending OK (Herald-Journal)

By Robert W. Dalton
bob.dalton@shj.com

Published: Tuesday, March 30, 2010 at 3:15 a.m.

The state Ethics Commission has dismissed a complaint filed by U.S. Rep. Bob Inglis' campaign against 7th Circuit Solicitor Trey Gowdy.

In a decision dated March 23, signed by Vice Chairman Phillip Florence Jr., the commission concluded there was no evidence Gowdy, who is challenging Inglis in the Republican primary for the 4th District seat, violated the law.

"I knew the allegations were false and frivolous the first time I heard them," Gowdy said. "And I knew, to the extent I can discern other's motives, that they were motivated by political desperation. Using non-public money to pay for expenses is not only legal and ethical, it's good public policy and, frankly, one the congressman ought to investigate."

Inglis said he could not comment on the state's action because he's never seen the complaint. But he called the state's process "woefully inadequate."

Inglis campaign treasurer Jeffrey Parker on Feb. 11 filed the complaint, claiming Gowdy had violated state law by using state campaign funds for his congressional run. The complaint questioned reimbursements to Spartanburg County for phone bills, office supplies and equipment during 2009.

State law permits campaign funds to be used "to defray any ordinary expenses incurred in connection with an individual's duties as a holder of elective office." Gowdy said he contacted the ethics commission before using the money, so he knew he was on solid ground.

"After careful review of the facts and law in this complaint matter, the Commission has determined that the expenditures made by (Gowdy) to his office from his campaign account are allowable payments, in that they were used to defray ordinary expenses incurred in connection with the duties of the Solicitor's office," the order commission's order states.

"Therefore, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate" that Gowdy violated the law.

Gowdy said it was "ironic" that Inglis' campaign would file a complaint against him for not using taxpayer money.

The Inglis campaign also has filed a federal ethics complaint against Gowdy making the same allegations. Gowdy said he expects that case will end with the same result.

Inglis, however, said the federal complaint would be a "substantial problem" for Gowdy's campaign. In addition to the charges outlined in the state complaint, the federal complaint questions a \$6,000 expense from Gowdy's solicitor campaign fund in April 2009 for a solicitor's Web site that was never completed.

Gowdy said he approached Under the Power Lines, a Web design firm, about building a solicitor's Web site. Gowdy said he continued working on the site until he decided to run for Congress.

Under the Power Lines was paid for the work it had done, and then subsequent fees to build a congressional campaign Web site were much lower.

Inglis said U.S. Rep. Graham Barrett, a candidate for governor, paid \$20,000 to the same company for his Web site. He said Gowdy got "quite a deal."

"How do you get a \$20,000 Web site for \$3,000 bucks unless you used state money to pay for part of it?" Inglis said.

Gowdy said there are a dozen people who worked on the Web site who will sign affidavits saying the development of the site had nothing to do with his run for Congress.